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ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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5/1/02
FILED
HARRISBURG, PA

APR 30 2002

LINDA F. WEABER,

Plaintiff

v.

HERSHEY FOODS CORP.,

Defendant

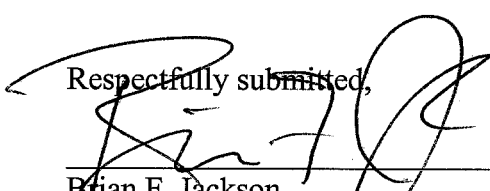
MARY E. D'ANDREA, CLERK
Per 9/10
856
CIVIL ACTION NO: 1:01-CV-956

Judge Rambo

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

AND NOW, Defendant, Hershey Foods Corporation, by and through its attorneys, McNees, Wallace & Nurick, respectfully moves this Court for summary judgment in its favor and against Plaintiff Linda Weaber pursuant to Fed. R. Civ. P. 56. This Motion is based upon the uncontradicted facts contained in the pleadings, depositions, and discovery materials, the pertinent parts of which have been filed simultaneously herewith pursuant to the applicable rules. The grounds for this Motion are more particularly set forth in Defendant's Memorandum of Law in Support of Motion for Summary Judgment, which has been filed simultaneously herewith.

Respectfully submitted,



Brian F. Jackson
Elizabeth A. Maguschak
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
717 237-5467

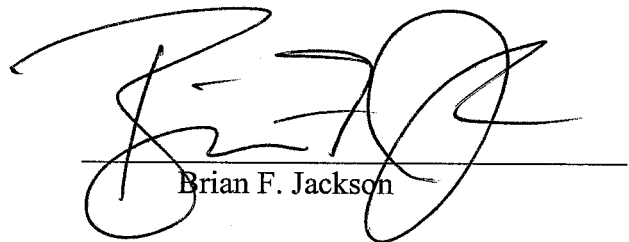
Attorneys for Defendant
Hershey Foods Corporation

Date: April 30, 2002

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing document, by hand-delivery, upon the following:

Andrew J. Ostrowski, Esquire
4311 North Sixth Street
Harrisburg, PA 17110



Brian F. Jackson

Date: April 30, 2002